

States District Court for the Western District of Missouri. The proposed Consent Decree resolves claims brought by the United States, on behalf of the Environmental Protection Agency, pursuant to the Clean Air Act, 42 U.S.C. 7401 *et seq.*, arising from Barber & Sons Tobacco Company, d.b.a. Barber & Sons Aggregates' ("Barber") ownership and operation of a non-metallic mineral processing plant, specifically a limestone quarry, located in Lee's Summit, Missouri.

The Complaint alleges that Barber is liable for violations of the CAA for failure to comply with notice and testing, reporting, and permitting requirements. The proposed Consent Decree requires Defendant Barber to pay a civil penalty of \$300,865. The proposed Consent Decree further requires future compliance by Defendant Barber with the CAA, regulations promulgated thereunder, and the Missouri State Implementation Plan.

The Department of Justice will receive comments relating to the proposed Consent Decree for a period of thirty (30) days from the date of this publication. Comments should be addressed to the Assistant Attorney General, Environment & Natural Resources Division, Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, D.C. 20044, and refer to *United States v. Barber & Sons Tobacco Company, d.b.a. Barber & Sons Aggregates*, DOJ number 90-5-2-1-2119.

Copies of the proposed Consent Decree may be examined at the Office of the United States Attorney, 1201 Walnut Street, Suite 2300, Kansas City, Missouri; and the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005, (202) 624-0892. A copy of the proposed Consent Decree may be obtained by mail or in person from the Consent Decree Library. When requesting a copy of the proposed Consent Decree, please enclose a check in the amount of \$4.00 (25 cents per page reproduction costs) payable to the "Consent Decree Library."

Joel M. Gross,

Chief, Environmental Enforcement Section
Environment & Natural Resources Division.
[FR Doc. 97-32906 Filed 12-16-97; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree in *United States v. J&D Enterprises of Duluth, Inc.* under the Clean Air Act

Notice is hereby given that a Consent Decree in *United States v. J&D Enterprises of Duluth, Inc.*, No. 5-95-298 (PAM/RLE) (D. Minn.), has been entered into by the United States on behalf of U.S. EPA and J&D Enterprises of Duluth, Inc. ("J&D") and lodged with the Court on November 21, 1997. The proposed Consent Decree resolves certain claims of U.S. EPA against J&D under Section 112 of the Clean Air Act and the asbestos NESHAP regulations, 40 C.F.R. Part 61, Subpart M, with respect to an operation located at 923 Shepard Road in Saint Paul, Ramsey County, Minnesota. Under the Decree, J&D will, *inter alia*, pay the United States a civil penalty of \$27,500.

The Department of Justice will receive comments relating to the proposed Consent Decree for 30 days following the publication of this Notice. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States v. J&D Enterprises of Duluth, Inc.*, D.J. Ref. No. 90-5-2-1-1427B.

The proposed Consent Decree may be examined at the Office of the United States Attorney for the District of Minnesota, 300 South Fourth Street, Minneapolis, MN 55415; the Region 5 Office of the United States Environmental Protection Agency, 77 W. Jackson Blvd., Chicago, IL 60604; and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005 (202-624-0892). A copy of the proposed Consent Decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005. In requesting a copy of the proposed Consent Decree, please enclose a check in the amount of \$9.75 (25 cents per page for reproduction costs), payable to the Consent Decree Library.

Bruce S. Gelber,

Section Chief, Environmental Enforcement
Section, Environment and Natural
Resources Division.

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Pursuant to the Clean Air Act

Notice is hereby given that on November 25, 1997, a proposed Consent Decree in *United States versus M & O Environmental Company, et al.*, Civil No. 1:96-CV-1786, was lodged with the United States District Court for the Northern District of Illinois. This Consent Decree resolves claims against M & O Environmental Company, Inc. ("M & O"), for violations of Sections 112 and 114 of the Clean Air Act ("Act"), 42 U.S.C. §§ 7412 and 7414, and various work practice standards and notice requirements promulgated as part of the National Emission Standard for Hazardous Air Pollutants for asbestos ("asbestos NESHAP").

The Consent Decree requires M & O (1) pay \$100,000 in civil penalties; (2) maintain compliance with the asbestos NESHAP and the Act; (3) report to EPA on a monthly basis the status of all asbestos abatement work undertaken by M & O in the previous month, and (4) implement certain managerial and operational measurements to ensure M & O's continuous compliance with the asbestos NESHAP and the Act.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Consent Decree. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer in *United States versus M & O Environmental Company, et al.*, D.J. Ref. 90-5-2-1-1885.

The Consent Decree may be examined at the Office of the United States Attorney, Northern District of Illinois, Everett McKinley Dirksen Building, Fifth Floor, 219 South Dearborn Street, Chicago Illinois 60604, at the Region V Office of the Environmental Protection Agency, 200 West Adams Street, Chicago, Illinois, and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005, (202) 624-0892. A copy of the proposed Consent Decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005. In requesting a copy, please enclose a check in the amount of \$26.75 (25 cents